

LABEL, IN PART: "Maple Leaf Brand Dad's Quality * * * Syrup Made of Cane and Maple Syrup By Geo. W. Dreblow & Son Gainesville, Fla.," or "It's Different Dad's Best Quality Pure Sugar Cane Syrup."

NATURE OF CHARGE: Maple Leaf Brand Syrup, adulteration, Section 402 (b) (4), artificial flavoring and artificial coloring had been added to the article and mixed and packed with it so as to make it appear to be maple sirup, which is better and of greater value than the article. Misbranding, Section 403 (a), the statement "Maple Leaf * * * Syrup" appearing in large conspicuous type on the label of the article, and the design of a maple leaf prominently displayed on the labels, were misleading in that they represented and suggested and engendered the impression in the mind of the reader that the article consisted of maple sirup. The article did not consist of maple sirup but consisted of an artificially flavored and artificially colored mixture of sugar, or sugars, and water, containing an insignificant amount of maple sirup; Section 403 (c), the article was an imitation of another food, maple sirup, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (k), the article contained artificial flavoring and artificial coloring and failed to bear labeling stating that fact.

Pure Sugar Cane Syrup, adulteration, Section 402 (b) (2), a mixture of sugar, water, invert sugar, and glucose, containing little or no cane sirup, had been substituted in whole or in part for cane sirup, which the article was represented to be. Misbranding, Section 403 (a), the statement "Pure Sugar Cane Syrup" on the label was false and misleading since the article was not cane sirup but was a mixture of sugar, invert sugar, water, and (in a portion) glucose, with little or no cane sirup; and, Section 403 (i) (2), the article failed to bear a label containing the common or usual name of each of its ingredients, since its label failed to bear a statement that it contained sugar, invert sugar, water, and (in a portion) glucose.

DISPOSITION: June 12, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$50 on each count, a total fine of \$300.

10580. Adulteration and misbranding of cane sirup. U. S. v. 8 Cases * * * (and 2 other seizure actions). Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond. (F. D. C. Nos. 18216, 18231, 18232. Sample Nos. 11582-H, 11586-H, 11589-H.)

LIBELS FILED: October 25 and 29 and November 5, 1945, District of New Hampshire and Massachusetts.

ALLEGED SHIPMENT: On or about June 18, 1945, by the Dubon Co., from Ville Platte, La.

PRODUCT: Sugar Cane Syrup. 8 cases, each containing 6 jars, at Nashua, N. H., and 332 cases and 270 cases, each containing 6 jars, at Lowell and Lynn, Mass., respectively.

LABEL, IN PART: "'Open Kettle' Brand Sugar Cane Syrup * * * Packed For J. S. Brown and Son, New Iheria, La."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), molasses had been substituted in whole or in part for sugar cane sirup.

Misbranding (Lowell and Lynn lots), Section 403 (a), the label statement "Sugar Cane Syrup" was false and misleading as applied to an article containing molasses.

DISPOSITION: November 23, 1945. No claimant having appeared for the Nashua lot, judgment of condemnation was entered and the product was ordered destroyed.

February 18, 1946. Philip Porter, Inc., Nashua, N. H., claimant for the Lowell and Lynn lots, having consented to the entry of a decree, the cases were consolidated and judgment of condemnation was entered. The product was ordered released under bond, conditioned that it be relabeled under the supervision of the Federal Security Agency.